

Art Unit: 1654

EXAMINER'S AMENDMENT

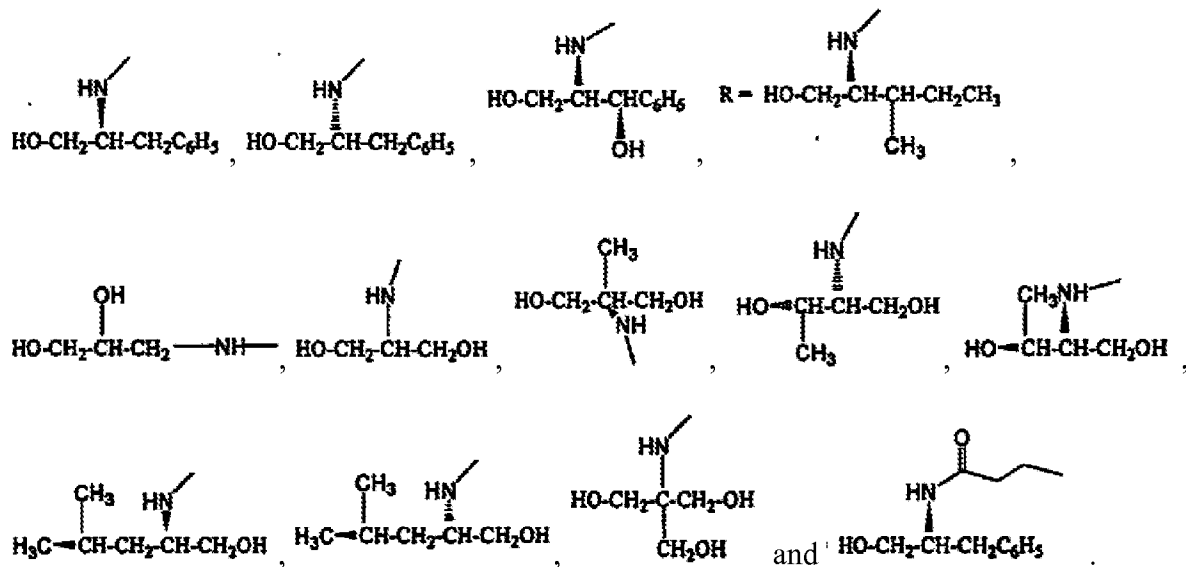
An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative, Arles Taylor, on September 25, 2009.

The application has been amended as follows:

REPLACE claim 2 with the following:

The compound of claim 1, wherein R is selected from: **NH-L-Ile-D-Phe-CH₂OH** ,
NH-L-Ile-S-Phe-CH₂OH , **NH-L-Leu-L-Ile-D-Phe-CH₂OH** , **NH-D-Leu-L-Ile-S-Phe-CH₂OH** , **NH-L-Ala-L-Leu-L-Ile-D-Phe-CH₂OH** ,
NH-D-Ala-D-Leu-L-Ile-S-Phe-CH₂OH , **NH-N-Im(Trityl)D-His-L-Ala-L-Leu-L-Ile-D-Phe-CH₂OH** ,
NH-N-Im(Trityl)D-His-L-Ala-L-Leu-L-Ile-D-Phe-CH₂OH , **NH-L-His-L-Ala-L-Lys-L-Arg-L-Arg-L-Leu-L-Ile-D-Phe-CH₂OH** ,



Art Unit: 1654

REPLACE claim 3 with the following:

A pharmaceutical composition comprising the compound of claim 1 or 2, or a pharmaceutically acceptable salt thereof, and a pharmaceutically acceptable carrier.

REPLACE claim 7 with the following:

The method as claimed in claim 5, wherein said composition is released from the carrier, said carrier being implanted at a desired location within said patient.

REPLACE claim 10 with the following:

A stent coated with the compound of claim 1 or 2.

REPLACE claim 11 with the following:

The stent as claimed in claim 10, wherein said compound is comprised within a coating composition.

CANCEL claims 12-14.

In claim 15, line 3, **REPLACE** the phrase -- claim 14 -- with --claim 3--

In claim 17, line 4, **REPLACE** the phrase -- under basic conditions -- with -- in the presence of a base--

ADD new claims 19-23 as follows:

19. The method as claimed in claim 6, wherein said composition is released from the carrier, said carrier being implanted at a desired location within said patient.

20. The method as claimed in claim 7, wherein said carrier is implanted using a vascular guiding means.

21. The method as claimed in claim 8, wherein said vascular guiding means is a catheter.

Art Unit: 1654

22. A stent coated with the composition of claim 3.

23. The stent as claimed in claim 22, wherein said composition is comprised within a coating composition.

The following is an examiner's statement of reasons for allowance: The chemical structure of claim 1 is neither taught, nor suggested, in the prior art. Amendments to the claims have been made to correct antecedent basis/multiple dependency issues of the claims, as well as to overcome claim objections.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW D. KOSAR whose telephone number is (571)272-0913. The examiner can normally be reached on Monday - Friday 08:00 - 16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia J. Tsang can be reached on (571)272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew D Kosar/

Primary Examiner, Art Unit 1654